

REMARKS

In the Official Action mailed on **29 August 2005**, the Examiner reviewed claims 1-3, 5-10, and 12-14. Claims 1, 6-8, and 13-14 were rejected under 35 U.S.C. §103 (a) as being unpatentable over Summer, Jr. et al (US 4,414,624, hereinafter “Summer”) in view of Bayeh (USPN 6,223,202, hereinafter “Bayeh”). Claims 2 and 9 were rejected under 35 U.S.C. §103 (a) as being unpatentable over Summer in view of Bayeh, and in further view of Cutler et al (USPN 5,752,031, hereinafter “Cutler”). Claims 3, 5, 10, and 12 were rejected 35 U.S.C. §103(a) as being unpatentable over Summer in view of Bayeh, and further in view of Applicants’ admitted prior art (hereinafter “AAPA”).

Rejections under 35 U.S.C. §103(a)

Independent claims 1 and 8 were rejected as being unpatentable over Summer in view of Bayeh. Examiner avers that Summer teaches pre-emptive scheduling at col. 14, lines 37-39 and col. 15, lines 12-17; and that Bayeh teaches “...enables the threads to share the CPU in time slices” at col. 2, lines 44-50 and col. 11, lines 15-19.

Applicant respectfully points out that the cited passages in both Summer and Bayeh teach away from the present invention. The cited passages teach **time-slicing**, as pointed out by the Examiner in the Office Action.

In contrast, the present invention changes the scheduling policy from round-robin (time-slicing) to **first-in, first-out (FIFO)** (see paragraph [0024] of the instant application. This is beneficial because the FIFO scheduling policy runs jobs to completion as they are encountered in first-in-first-out order, thereby preventing the time-slicing mechanism from interrupting the thread until completion of the thread. This is especially important for a garbage-collection thread. The combined system of Summer and Bayeh leaves the possibility of the time-slicing mechanism interrupting the thread prior to completion.


Applicant has amended independent claims 1 and 8 to include limitations from claims 3 and 10 to clarify that the present invention changes the scheduling policy from round-robin (time-slicing) to first-in, first-out to run garbage-collections jobs to completion as they are encountered in first-in-first-out order. These amendments find support in paragraph [0024] of the instant application.

Hence, Applicant respectfully submits that independent claims 1 and 8 as presently amended are in condition for allowance. Applicant also submits that claims 2-3 and 5-7, which depend upon claim 1, and claims 9-10 and 12-14, which depend upon claim 8, are for the same reasons in condition for allowance and for reasons of the unique combinations recited in such claims.

CONCLUSION

It is submitted that the present application is presently in form for allowance. Such action is respectfully requested.

Respectfully submitted,

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